

MINUTES

ALCOHOL AND TOBACCO COMMISSION

MARCH 1, 2005

CALL TO ORDER/NOTING OF QUORUM

Chairman Heath called the meeting to order and noted the quorum and the attendance. Present were Vice Chairperson Brizzi and Commissioner Sturtz. Also in attendance were Industry Liaison Okey, Executive Secretary Choe and Superintendent Huskey.

Mark Webb, Jeff McKean and Debbie Scott of IABR were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the February 15, 2005 meeting. Motion seconded by Vice Chairperson Brizzi and it was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PARTIES AGREED DISPOSITION (PAD) FORMS – Vice Chairperson Brizzi moved to approve the PAD forms that were submitted for the March 1, 2005 meeting. Motion seconded by Commissioner Sturtz and it was unanimously approved.

CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

I incorporate by reference these lists of permit applications for catering and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

Two hundred seven (207) renewals approved, thirty-two (32) new and/or transfer permits approved, ten (10) permits conditionally approved, eleven (11) permits approved for catering, nine (9) permits approved for first year escrow, three (3) permits approved for second year escrow and one (1) permit approved for third year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Commissioner Sturtz moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Vice Chairperson Brizzi and it was unanimously approved.

APPLICATIONS FOR DISCUSSION

DL82-21319 BUSLER ENTERPRISES, INC., D/B/A BUSLER'S – Vice Chairperson Brizzi noted this is a new type 116 application with the local board voting four (4) to zero (0) to disapprove.

Vice Chairperson Brizzi moved to uphold the local board's recommendation and deny the new permit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

DL31-21383 MARK HARBIN, D/B/A HARBIN'S GENERAL STORE – Vice Chairperson Brizzi noted this is a new type 115 application with the local board voting three (3) to zero (0) to approve.

Vice Chairperson Brizzi moved to uphold the local board's recommendation and approve the new permit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

RR57-93353 C.C. RIDER, INC., D/B/A C.C. RIDER – Vice Chairperson Brizzi noted this is a type 210 renewal application with the local board voting three (3) to zero (0) to disapprove.

Vice Chairperson Brizzi moved to uphold the local board's recommendation and deny the renewal. Motion seconded by Commissioner Sturtz and it was unanimously approved.

RR01-04700 MCT'S GRILL & TAVERN, LLC, D/B/A MCT'S GRILL & TAVERN – Vice Chairperson Brizzi noted this is a type 210 transfer of ownership application with the local board voting three (3) to zero (0) to disapprove.

Vice Chairperson Brizzi moved to uphold the local board's recommendation and deny the transfer. Motion seconded by Commissioner Sturtz and it was unanimously approved.

INACTIVE FILES

Vice Chairperson Brizzi moved to make thirty (30) permits inactive. All thirty (30) permits are not subject to auction. Motion seconded by Commissioner Sturtz and it was unanimously approved.

APPEALS FROM LOCAL BOARD RECOMMENDATIONS

RR45-01571 PARALLAX MANAGEMENT CORP., D/B/A THE RISING SUN – Chairman Heath stated an appeal was filed in the above-referenced case. This will be assigned to a hearing officer.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

UNDER ADVISEMENT

Nothing Under Advisement

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Vice Chairperson Brizzi moved to adjourn the meeting. Motion seconded by Commissioner Sturtz and it was unanimously approved.

Approved this _____ day of _____, 2005.

DAVE HEATH, CHAIRMAN

MELANIE BRIZZI, VICE CHAIRPERSON

DALE STURTZ, COMMISSIONER